



**UNITED STATES DEPARTMENT OF THE INTERIOR**  
**Bureau of Land Management**

Gunnison Field Office  
650 S 11th St.  
Gunnison, CO 81230  
(970) 642-4940



January 28, 2011

In Reply Refer To:  
CO-160 4190.1  
Allotments #16004 and 16003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**NOTICE OF PROPOSED DECISION**

It is my proposed decision to issue one permit authorizing livestock grazing on the Fitzpatrick Mesa (16004) and Round Corral Creek (16003) Allotments for a period of 10 years. The permit will include the following terms and conditions, goals, and objectives to achieve allotment specific objectives, that will, 1) meet the Gunnison Resource Area Resource Management Plan (RMP) objectives, and 2) achieve or make significant progress towards achieving the Standards for Public Land Health in Colorado and comply with the Guidelines for Livestock Grazing Management in Colorado, in conformance with the Fundamentals of Rangeland Health (43 CFR 4180.1) and Standards and Guidelines (43 CFR 4180.2). The Proposed Action has been reviewed for consistency and conformance with the land use plan and compliance with the National Environmental Policy Act. A copy of Environmental Assessments # DOI-BLM-CO-S060-2010-0018-EA and DOI-BLM-CO-S060-2010-0019-EA are attached.

Terms and Conditions

Fitzpatrick Mesa Allotment #16004

Livestock		Season of Use	% P.L.	AUMs
No.	Kind/Class			
34	Cattle	6/1-10/31	6%	10

Round Corral Creek Allotment #06003

Livestock		Season of Use	% P.L.	AUMs
No.	Kind/Class			
15	Cattle	6/1-9/30	35	21

1. Uplands will not exceed a utilization level of 40-60% of the current years' growth for key forage species during the grazing period of use.
2. Any objects or sites of cultural or paleontological value, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged or disturbed. If any such resources are encountered, the permittee shall notify BLM immediately.

3. Salt and/or mineral supplements will not be placed within ¼ mile of any riparian area, wet meadow, or temporary or permanent watering facility. Excess salt and/or mineral sources will be removed from the allotment following grazing use each year.
4. Temporary water hauling site locations shall be coordinated with the BLM. Troughs associated with these sites must have a wildlife escape ramp. To prevent wildlife deaths, these troughs must be removed or turned over each year when they are no longer needed for livestock grazing use.
5. The permittee shall provide the Bureau of Land Management with reasonable administrative access across private and leased lands for the orderly management and protection of the public lands.
6. When poisonous plants are identified as a threat to livestock, management actions to avoid grazing the area during the problem period will be developed. Infestations of noxious weeds will be incorporated into the Field Office noxious weed control program as they are identified.
7. Grazing use for the allotments will be in compliance with the Gunnison Resource Area RMP, which was amended to adopt the Colorado Standards for Public Land Health and Guidelines for Livestock in Colorado.
8. Grazing use will be in conformance with Canada lynx habitat standards:
  - a. Do not allow livestock use in openings created by fire or timber harvest that would delay successful regeneration of the shrub and tree components.
  - b. Manage grazing in aspen stands to ensure sprouting and sprout survival sufficient to perpetuate the long-term viability of the clones.
  - c. Within the elevational ranges that encompass forested lynx habitat, shrub-steppe habitats should be considered as integral to the lynx habitat matrix and should be managed to maintain or achieve mid-seral or higher condition.
  - d. Within lynx habitat, manage livestock grazing in riparian areas and willow carrs to maintain or achieve mid-seral or higher condition to provide cover and forage for prey species.
9. All range improvements for which the permittee has maintenance responsibility, including fences, troughs, and reservoirs, must be properly maintained prior to livestock turnout. The permittee must notify the BLM prior to beginning any maintenance activities that require the use of heavy equipment, such as tractors, backhoes, or graders. Allotment boundary fences for which the permittee has maintenance responsibility must be maintained every year, even if the pasture is being rested.

#### Allotment Goal

The Fitzpatrick Mesa and Round Corral Creek Allotments will be managed to provide for a maximum achievable diversity and production of biological resources to improve and sustain habitat for wildlife, to help sustain the economic stability of the permittees, and to allow for quality opportunities for public land users while achieving or making significant progress toward achieving BLM's Standards for Public Land Health in Colorado and conformance to BLM's Guidelines for Livestock Management in Colorado.

## Allotment Objectives

### a. Native Uplands

The management objective for native upland vegetation on the Fitzpatrick Mesa and Round Corral Creek Allotments is to maintain or improve the vigor, production and diversity of desirable plants to support a variety of resource uses, including, but not limited to livestock grazing, wildlife habitat, and recreation. Native upland sites will be managed to achieve and maintain basal cover values which are equal to or greater than those listed for the slightly/moderately accelerated erosion threshold as described in the Montrose District Soil Erosion Monitoring Guidelines for each ecological site.

### b. Riparian Areas

Riparian areas will be managed to maintain or achieve a mid-seral or later stage of ecological succession and to provide adequate herbaceous plant residue on stream banks and flood plains during seasons when high flows are likely.

## Monitoring/Evaluation

The BLM will be responsible for implementing the following monitoring/ evaluation requirements:

The monitoring program will include appropriate consultation, cooperation and coordination with the rangeland users, other agencies, and interested publics. Close coordination between the permittees or their representatives, the Colorado Division of Wildlife, the National Park Service, and the BLM of all livestock related field monitoring is essential to determine conformity with the terms and conditions of the permits.

Sufficient monitoring data will be collected to determine if management actions are, 1) contributing to the achievement of allotment objectives and the Gunnison Resource Area Resource Management Plan (RMP) management objectives, 2) achieving or making significant progress toward achieving the Standards for Public Land Health in Colorado and conforming to the Colorado Livestock Grazing Management Guidelines.

The intensity and frequency of additional monitoring done on the allotments will be dependent on annual funding allocations and work priorities established for the Gunnison Field Office. Monitoring priorities for the allotment will be determined annually. Guidance provided in BLM Technical References, BLM Manuals, the Gunnison Resource Area Rangeland Monitoring Plan, will be the basis for monitoring/inventory conducted on the allotment. Other appropriate guidance documentation will be considered when establishing, collecting and evaluating data.

Monitoring will include both short-term and long-term studies. Short-term monitoring will include compliance monitoring, actual use data, range readiness when necessary through a joint field inspection with the BLM and the permittees, utilization studies on riparian areas and uplands as well as climate and soil moisture data. Long term monitoring will document and measure trends toward or achievement of objectives over a period of years.

Evaluations may be conducted anytime during the implementation of this proposed action if monitoring data and/or other data support changes to the allotment objectives, management actions or annual permitted use.

**Protest/Appeal Rights**

With this decision you have a right to protest and appeal. If you wish to protest this proposed decision in accordance with 43 CFR 4160.2, you are allowed 15 days from receipt of this notice within which to file such a protest with the Field Manager at the address given above. A protest may be made either in person or in writing to the Field Manager and shall specify the reasons why you think the proposed decision is in error.

If a protest is filed within the time allowed, the protest statement of reasons and other pertinent information will be considered and a final decision will be issued with a right of appeal as defined in 43 CFR 4160.3 and 4160.4.

In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision. Should this notice become the final decision and you wish to appeal for the purpose of a hearing before an Administrative Law Judge (43 CFR 4160.4 and 4.470), you are allowed 30 days from the date this decision becomes my final decision within which to file such an appeal at the address given above. The appeal shall state clearly and concisely why you think the decision is in error.

To receive consideration on staying implementation of the Final Decision, you must file a petition to stay which clearly states your reason(s) why this decision should not become effective on the date indicated. The petition to stay must be filed with the appeal and sent to the Field Manager at the address given above. Your petition to stay our decision must address the following:

- i. The relative harm to the parties if the stay is granted or denied;
- ii. The likelihood of the appellant's success on the merits;
- iii. The likelihood of immediate and irreparable harm if the stay is not granted; and
- iv. Whether the public interest favors granting the stay.

If you have any questions, please feel free to contact me or Tara de Valois at (970)642-4940 or stop by our office in Gunnison. Thank you for your continuing cooperation.

Sincerely,

/s/ Brian St. George

Brian St. George  
Gunnison Field Manager

Enclosure: Environmental Assessment  
#DOI-BLM-CO-S060-2010-0018-EA and #DOI-BLM-CO-S060-2010-0019-EA